

### REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-13 and 15-17 are currently pending in the present amendment. Claims 1, 4, 7, and 10 have been amended by the present amendment. The amendments to the claims are fully supported by the originally filed specification. No new matter has been added.

In the outstanding Office Action, Claims 10 and 11 were objected to as containing informalities; Claims 1-13 and 15-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,388,999 to Gorsuch et al. (hereinafter, “Gorsuch”), U.S. Published Patent Application No. 2003/0223430 to Lodha (hereinafter, “Lodha”), and U.S. Published Patent Application No. 2002/0163933 to Benveniste (hereinafter, “Benveniste”).

Applicants wish to thank the Examiner for the interview granted to Applicants’ representatives on March 12, 2010, at which time the claimed invention, the outstanding rejections of Claims 1, and proposed amendments were discussed. At the end of the interview, no agreement was reached.

Regarding the objections to Claims 10 and 11, Claim 10 has been amended to recite “requesting” instead of “request,” as suggested in the Office Action. Accordingly, the objections to Claims 10 and 11 are believed to have been overcome.

Applicants’ Claim 1 is directed to a method to allocate bandwidth, which method is implemented at a central controller of an ad-hoc network, comprising:

allocating, at the central controller, a predetermined amount of bandwidth to a certain connection requiring a certain quality of service (QOS), wherein an owner of said certain connection is a requesting terminal which is a terminal of said ad-hoc network, and the predetermined amount of bandwidth is allocated based on a fixed capacity allocation;

freeing, at the central controller, a certain amount of the allocated predetermined amount of bandwidth as freed bandwidth, said freed bandwidth being a difference between

the allocated predetermined amount of bandwidth and a needed amount of bandwidth, wherein said needed amount of bandwidth is determined at the requesting terminal and transmitted to the central controller, and does not exceed said predetermined amount of bandwidth; [[and]]

allocating said freed bandwidth to a non-QOS connection; and

when said requesting terminal transmits a request for a new needed amount of bandwidth greater than said needed amount of bandwidth, the new needed amount of bandwidth not exceeding said predetermined amount of bandwidth, immediately returning as much of the freed bandwidth as required so that said new needed amount of bandwidth is available to said requesting terminal to secure said certain QOS. [Emphasis Added].

Claim 1 clarifies that the freed allocated bandwidth is allocated to a non-QOS signal, and that when said requesting terminal transmits a request for a new needed amount of bandwidth greater than said needed amount of bandwidth, the new needed amount of bandwidth not exceeding said predetermined amount of bandwidth, the controller immediately returns as much of the freed bandwidth as required so that said new needed amount of bandwidth is available to said requesting terminal to secure said certain QOS.

As discussed during the interview, the above clarified features in independent Claim 1 overcome the 35 U.S.C. § 103(a) rejections of Claim 1.

Further, the above discussion regarding Claim 1 also applies to independent Claims 4, 7, and 10 because these claims recite features analogous to the features recited in Claim 1.

Accordingly, it is respectfully requested that the 35 U.S.C. § 103(a) rejections of independent Claims 1, 4, 7, and 10 (and all associated dependent claims) be withdrawn.

Finally, the Office Action acknowledges that Gursuch fails to disclose all the features of Claim 1.<sup>1</sup> Rather, the Office Action relies on Lodha for such teachings.

Applicants note that Lodha was filed on February 18, 2003, and claims benefit of the provisional application No. 60/385,982, filed on June 4, 2002. In addition, Applicants submit

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<sup>1</sup> See Office Action dated June 11, 2009, page 3.

that the contents of the provisional application No. 60/385,982, (hereinafter, “Lodha-1”) are different from cited reference Lodha.

Applicants also note that the present application was filed on September 4, 2003, claiming priority benefit under 35 U.S.C. § 119 of the European patent application filed on September 5, 2002. In addition, Applicants submit that the contents of the present application are the same as that of the European patent application.

Therefore, since the filing date of the cited reference Lodha (February 18, 2003) is ***after*** the date of priority of the present application, and the contents of Lodha-1 are ***different*** from the contents of the cited reference Lodha, the proper reference to the present application may be Lodha-1, and ***not*** the cited reference Lodha.

For this reason alone, Applicants submit that the 35 U.S.C. § 103(a) rejections of the present claims based on the cited references Lodha are improper, and should be withdrawn. Further, if the Office asserts that the contents of Lodha-1 are ***the same*** as the contents of the cited reference Lodha, then Applicants respectfully request the Office to provide a copy of Lodha-1, which is being relied upon for the rejections.

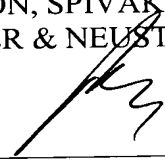
Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

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Respectfully submitted,

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